

DECISION



**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D.C. 20548

27014

FILE: B-213064

DATE: December 12, 1983

MATTER OF: Allan H. Schecter

DIGEST:

GAO will not consider protest concerning procurement actions of Department of Housing and Urban Development (HUD) in connection with property responsibilities under National Housing Act, 12 U.S.C. § 1701, et seq., in view of broad statutory authority of HUD to make expenditures in connection with those responsibilities.

Mr. Allan H. Schecter protests the award of a contract pursuant to request for proposal (RFP) No. HC-12470, issued by the Department of Housing and Urban Development (HUD). Mr. Schecter complains that the specifications are unduly restrictive and improperly discriminate against him.

We have been advised that the procurement was conducted under the authority of the National Housing Act, 12 U.S.C. § 1701, et seq. (1982). The act authorizes the Secretary of HUD to make such expenditures as are necessary to carry out the maintenance or improvement of property without regard to any other provision of law governing the expenditure of public funds. 12 U.S.C. § 1702.

In view of this extraordinary authority granted the Secretary, we have no legal basis to question the Secretary's expenditure of funds under that provision. Edward H. Pine Insurance, B-211065, April 11, 1983, 83-1 CPD 377.

The protest is dismissed.

Harry R. Van Cleve
Harry R. Van Cleve
Acting General Counsel

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